

Before Final - Official

Practitioner's Docket No.: 791_157

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Masayuki SHINKAI

Ser. No.: 09/908,951

Art Unit: 1775

Filed: July 19, 2001

Examiner: Jason L. Savage

Confirmation No.: 1928

For: COMPOSITE MEMBER COMPRISING BONDED DIFFERENT MEMBERS AND
METHOD FOR MAKING THE COMPOSITE MEMBERAssistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on October 29, 2002 at (703) 872-9310.

Janet M. Stevens

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed October 2, 2002, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-9) in this application.

However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 27 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Kevin C. Brown
Reg. No. 32,402

KCB/jms

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 25191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320

FAX Transmission Sheet
BURR & BROWN
Intellectual Property Practice

101 South Salina Street, 7th Floor
Syracuse, New York 13202

Telephone: (315) 233-8300
Facsimile: (315) 233-8320

OFFICIAL BUSINESS

Date: October 29, 2002

To: Examiner Jason L. Savage
Art Unit: 1775

Fax No.: (703) 872-9310

From: Kevin C. Brown

Subject: U.S. Application Ser. No. 09/908,951
Filed: July 19, 2001
Conf. No.: 1928
Title: COMPOSITE MEMBER COMPRISING BONDED DIFFERENT
MEMBERS AND METHOD FOR MAKING THE COMPOSITE MEMBER

Our Ref.: 791_157

You should receive 3 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following paper(s) is/are being facsimile transmitted to (703) 872-9310 at the Patent and Trademark Office on October 29, 2002:

- Response to Restriction Requirement 2 pages
- This Cover Sheet 1 pages

Total Pages 3

Janet M. Stevens
Janet M. Stevens

IMPORTANT - THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT READING, DISSEMINATING, DISTRIBUTING OR COPYING THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND DESTROY THE COMMUNICATION. THANK YOU.

BURR & BROWN
